

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

BRIAN THOMPSON and
SHEILA THOMPSON,

Plaintiffs,

v.

RYAN CATE and the
CITY of TRINIDAD, TEXAS,

Defendants.

§ § § § § § CIVIL ACTION NO. 6:24-cv-67

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE NOTICE OF
SUPPLEMENTAL AUTHORITY**

Plaintiffs Brian and Sheila Thompson file this Unopposed Motion for Leave to File a Notice of Supplemental Authority and would respectfully show the Court the following:

Currently pending before this Court is the City of Trinidad's 12(b)(3) Motion to Dismiss or, in the alternative, Motion to Transfer (Doc. 4). In Plaintiffs' Response, they cited what they considered a very similar pending motion by Henderson County in *Albritton v. Henderson County, et al.*, Civ. Act. No. 3:23-cv-1723 (pending in the Northern District of Texas). Last week, the Northern District of Texas denied Henderson County's 12(b)(3) Motion to Dismiss and alternative Motion to Transfer in the *Albritton* case. That opinion is filed with this Motion as Exhibit A.

Respectfully submitted,

/s/ Roger Topham
Roger Topham
State Bar #24100557
13809 Research Blvd. Suite 500
Austin, Texas 78750
(512) 987-7818
rt@tophamlaw.com

CERTIFICATE OF SERVICE

I certify that this document was served on counsel for all parties through the Court's ECF system, in accordance with the Federal Rules of Civil Procedure, on May 3, 2024. Defendant Ryan Cate will be additionally served by mail.

/s/ Roger Topham
Roger Topham

CERTIFICATE OF CONFERENCE

I certify that I conferred with counsel for Defendant City of Trinidad, and they are not opposed to the relief requested in this Motion.

/s/ Roger Topham
Roger Topham